

STATE OF SOUTH CAROLINA

(Caption of Case)

IN RE:

Happy Rabbit, LP on Behalf of,

Windridge Townhomes, Complainant,

v.

Alpine Utilities, Inc., Respondent

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2008 - 360 - S

(Please type or print)

Submitted by: Richard L. WhittSC Bar Number: 62895Address: Austin & Rogers, P.A.Telephone: 803-251-7442508 Hampton Street, Suite 300Fax: 803-252-3679Columbia, South Carolina 29201Other: 803-256-4000Email: rlwhitt@alrlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition☐ Request for item to be placed on Commission's Agenda expeditiouslyOther: Routine

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)			
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit of Publication	<input type="checkbox"/> Letter	<input type="checkbox"/> Request	
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certifica	
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigat	
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement	
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment	
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter	
<input type="checkbox"/> Gas	<input type="checkbox"/> Certification of Mailing	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response	
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discove	
<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition	
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation	
<input type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Discovery	<input type="checkbox"/> Return	<input type="checkbox"/> Subpoena	
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff	
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other	
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest		
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit		
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report		

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2008-360-S

IN RE:)
Happy Rabbit, LP on Behalf of,)
Windridge Townhomes,)
)
Complainant,)
v.)
)
Alpine Utilities, Inc.,)
Respondent)
_____)

COMPLAINANT'S
SECOND SET OF
REQUESTS FOR ADMISSIONS

TO: Respondent Alpine Utilities, Inc., (hereinafter, "Respondent Alpine" or "Respondent") and its attorney of record, Benjamin P. Mustian.

The above-named Complainant, pursuant to 26 S.C Code Ann. Regs. R. 103-835 (Supp. 2008) and Rule 36, of the South Carolina Rules of Civil Procedure, hereby serves Respondent with Complainant's Second Set of Requests for Admissions to be answered separately within thirty (30) days from the date of service hereof, and requests that the documents identified in such written responses be produced for inspection and copying to the undersigned within the same time period.

DEFINITIONS

As used herein, the following terms shall have the meaning and be interpreted as set forth below:

1. "Respondent" shall refer to Respondent Alpine and shall includes its business divisions and operating divisions, assigns, representative, partners, agents, consultants, experts, and attorneys, if any.
2. Any reference to Complainant includes previous owner, Carolyn D. Cook.
3. "Windridge Townhomes" shall refer to the duplexes, neighborhood, subdivision or other development located in the 3300 Block of Kay Street, Columbia, Richland County, South Carolina.

4. The conjunctions "and" and "or" shall be interpreted in each and every instance as meaning "and/or" and shall in neither instance be interpreted disjunctively to exclude any document or information otherwise within the scope of any description or request made herein.

5. All references to the singular contained herein shall be deemed to include the appropriate plural number and all references to the plural shall be deemed to include the singular. All references to the masculine gender contained herein shall be deemed to include the appropriate feminine and neuter genders.

REQUESTS FOR ADMISSSIONS

1. Admit that no such, "assignment document," exists, as to the, "agreement" attached to Robin Dial's Direct Testimony as exhibit four thereto.

2. Admit that the, "agreement," attached to Robin Dial's Direct Testimony as exhibit four thereto, was not assigned to Mrs. Cook or Happy Rabbit, by way of an assignment document.

3. Admit that the, "agreement," attached to Robin Dial's Direct Testimony as exhibit four thereto, was not recorded in the RMC office for Richland County South Carolina.

4. Admit that there is no evidence of record in this matter that Mrs. Cook and Happy Rabbit had actual Notice of the existence of the, "agreement" attached to Robin Dial's Direct Testimony as exhibit four thereto.

5. Admit that there is no assignment document extant to support Robin Dial's allegation in his Surrebuttal Testimony, on page two, lines eleven through thirteen, that Mrs. Cook and Happy Rabbit are, "successors and assigns" of TFB, or Complex.

6. Admit that the, "agreement" attached to Robin Dial's Direct Testimony as exhibit four thereto, was drafted by Alpine or someone acting on Alpine's behalf.

7. Admit that the, "agreement" attached to Robin Dial's Direct Testimony as exhibit four thereto, was neither executed, nor acknowledged by Carolyn D. Cook or anyone acting on behalf of Happy Rabbit.

AUSTIN & ROGERS, PA

_____/s/_____
Richard L. Whitt
508 Hampton Street, Suite 300
Columbia, South Carolina 29201
(803) 251-7442
Attorney for Complainant

Columbia, South Carolina

RLW/jjy
March 13, 2009

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2008-360-S**

IN RE:

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v.

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Respondent

CERTIFICATE OF SERVICE

I, Jessica Yun, an employee of Austin & Rogers, P.A., certify that I caused a copy of Happy Rabbit's Second Set of Requests for Admissions in the above referenced matter as indicated below, to be delivered via hand-delivery as addressed below or e-mail on March 13, 2009.

Attorney Benjamin P. Mustian
930 Richland Street
Columbia S.C., 29201
Via Hand-Delivery

Nanette S. Edwards, Esquire
Via e-mail

Austin & Rogers, P.A.

/S/
Jessica Yun

Columbia, South Carolina
March 13, 2009